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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RODNEY DIAL,
 Plaintiff,
 v.
SCOTT HEATLEY, et al.,
 Defendants.

No. 2:12-cv-2569 AC P

ORDER

Presently pending in this prisoner civil rights action are two separate motions for summary judgment filed by defendants. The first motion was filed by defendant Casey on February 12, 2015. ECF No. 58. The second motion was filed by defendants Fong, Heatley, Smith and Zamora on April 6, 2015. ECF No. 65. Plaintiff was granted until May 1, 2015 to file oppositions to both motions. ECF No. 63. However, plaintiff has not filed an opposition to either motion or otherwise communicated with the court.

Review of the docket indicates that plaintiff’s change of address, as the court noted by order filed March 13, 2015, see ECF No. 59, was noted neither by the Clerk of Court or defendants. Plaintiff was then transferred from California State Prison Corcoran (CSP-COR) to the California Health Care Facility (CHCF),¹ where he currently remains, as indicated by the

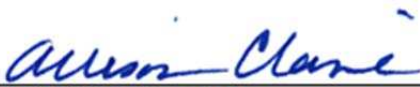
¹ While none of the court’s recent orders were returned for failure of service, this may be due to (continued...)

1 Inmate Locator website operated by the California Department of Corrections and
2 Rehabilitation.² For this reason, plaintiff will be granted additional time to respond to both
3 motions for summary judgment.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Clerk of Court is directed to indicate on the docket that plaintiff's current address
6 of record is the California Health Care Facility in Stockton, effective March 13, 2015.
- 7 2. The Clerk of Court is directed to re-serve the following orders on plaintiff at his
8 current address of record: Order filed March 13, 2015 (ECF No. 59); Order filed March 31, 2015
9 (ECF No. 63); and Order filed April 2, 2015 (ECF No. 64).
- 10 3. All defendants shall, within seven days after the filing date of this order, re-serve their
11 respective motions for summary judgment on plaintiff at his current address of record, and file
12 separate statements with the court indicating that such re-service has been completed.
- 13 4. Plaintiff shall, on or before June 12, 2015, file his oppositions or statements of non-
14 opposition to defendants' respective motions.
- 15 5. Defendants may file their respective replies within seven days after plaintiff's
16 oppositions are noted on the docket, see Local Rule 230(l).
- 17 6. Failure of plaintiff to timely file oppositions to the pending motions for summary
18 judgment will result in a recommendation that this action be dismissed without prejudice for
19 failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b).

20 DATED: May 12, 2015

21 
22 ALLISON CLAIRE
23 UNITED STATES MAGISTRATE JUDGE

24
25 the forwarding of plaintiff's legal materials by staff at CSP-COR to plaintiff at CHCF. See ECF
26 No. 63 (requesting that CSP-COR staff consolidate plaintiff's legal property as of that date and
27 send it to plaintiff at CHCF).

28 ² See <http://inmatelocator.cdcr.ca.gov/search.aspx>. See also Fed. R. Evid. 201 (court may take
judicial notice of facts that are capable of accurate determination by sources whose accuracy
cannot reasonably be questioned).